

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

In re:

Lucinda M. Broecker,
fka Lucinda M. Malocha,

Debtor(s).

Chapter: 13
Case Number: 11-00386

Judge: Gregg

107 East Broadwell Street
Albion, MI 49224

xxx-xx-9377

**DEBTOR'S RESPONSE TO CHASE HOME FINANCE LLC'S OBJECTION TO
CONFIRMATION OF HER CHAPTER 13 PLAN**

Debtor, by and through her attorney, for her response, states:

1. Debtor is without sufficient information to admit or deny that Chase Home Finance LLC (hereinafter "Creditor" without prejudice to the word's meaning under the Bankruptcy Code) holds a mortgage on the real property at 107 E. Broadwell Street, Albion, MI 49224-1123. Debtor admits that she holds a dower interest in said property. Debtor denies that she is personally liable on any promissory note to Chase Home Finance LLC. Debtor denies she is a mortgagor on the mortgage referred to by Creditor in the allegation.
2. Admitted that the Debtor's Chapter 13 Plan fails to provide treatment of the Property as to this Creditor as the Creditor is not a creditor of this Debtor, as defined in 11 USC § 101(10) and does not hold a claim in this case as defined by 11 USC § 101(5) as Creditor has no right to payment from Debtor and Debtor owes Creditor no performance.

3. The allegation requires no answer as Creditor's Proof of Claim speaks for itself; Debtor reserves the right to object to any Proof of Claim. By way of further answer, the documentation attached to Creditor's Proof of Claim supports Debtor's assertion that she is not personally obligated on the Promissory Note and is not a mortgagor on the property.
4. Admitted.
5. Denied as the allegation is untrue. Debtor's Schedule A lists her dower interest in the Property.
6. Admitted that the Debtor is not proposing to pay a debt to the Creditor as Debtor does not owe Creditor any debt.

WHEREFORE, Debtor asks this Honorable Court overrule Chase Home Finance LLC's objection to confirmation of her Chapter 13 Plan and award her reasonable attorney fees for having to respond to this obviously frivolous objection.

February 7, 2011

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